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SYNAGRO TECHNOLOGIES, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

SYNAGRO TECHNOLOGIES, INC.,	)	CIVIL NO. CV04-00509 SPK LEK
)	
Plaintiff,	)	SYNAGRO TECHNOLOGIES, INC'S
	)	MOTION FOR ATTORNEYS' FEES AND
vs.	)	RELATED NON-TAXABLE EXPENSES;
	)	MEMORANDUM IN SUPPORT OF
GMP HAWAI'I, INC.,	)	MOTION; DECLARATION OF JAMES
	)	P. CARMICHAEL; DECLARATION OF
Defendant.	)	PAUL ALSTON; EXHIBITS "A"-"D";
	)	CERTIFICATE OF SERVICE
)	
	)	Hearing
	)	Date: _____
	)	Time: _____
	)	Judge: _____
)	
)	
)	

**PLAINTIFF SYNAGRO TECHNOLOGIES, INC.'S MOTION FOR
ATTORNEYS' FEES AND RELATED NON-TAXABLE EXPENSES**

As the prevailing party in this action, Plaintiff
SYNAGRO TECHNOLOGIES, INC. ("Synagro"), by and through its
attorneys, Alston Hunt Floyd & Ing, hereby requests an award of

attorneys' fees and related non-taxable expenses against Defendant GMP Hawai'i, Inc. ("GMP").

On January 11, 2006, the Court entered its *Order Granting Plaintiff's Renewed Motion For Summary Judgment On Defendant's Counterclaim And Denying Defendant's Motion For Leave To File Amended Counterclaim* (hereinafter "Summary Judgment Order"). In its Order, the Court rejected all of GMP's counterclaims against Synagro and, by implication, validated Synagro's claim for a declaratory ruling that it owed no unmet contractual obligations to GMP. Since GMP's principal Counterclaim was a claim in the nature of of assumpsit, Synagro is entitled to an award of attorneys' fees and related non-taxable expenses as a matter of law.

By this Motion, Synagro seeks an award against GMP for **\$79,877.70** in attorneys' fees and **\$230.94** in related non-taxable expenses, totaling **\$80,108.64**, which were reasonably and necessarily incurred in defending against and prevailing on GMP's untenable implied contract claim and request for punitive damages set forth in its Counterclaim. Synagro will separately file a Bill of Costs, pursuant to Local Rule ("L.R.") 54.2, concurrently with this Motion.

This Motion is brought pursuant to Fed. R. Civ. P. Rules 7 and 54(d), Local Rules 7.2 and 54.3, and Haw. Rev. Stat. §§ 607-14 and 607-9, and is supported by the accompanying

memorandum of law, the affidavit, declaration, and exhibits attached hereto, the records and files in this matter, and any further evidence and argument that may be presented at the hearing of this Motion.

DATED: Honolulu, Hawai'i, April 21, 2006.

/s/ MEI-FEI KUO
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SYNAGRO TECHNOLOGIES, INC.